

# Be Careful Who You Contract With And Who You Don't – Non-Party Not Bound

## *White Paper*

A 7th U.S. Circuit Court of Appeals ruling in *Northbound Group, Inc. v. Norvax, Inc.* indicates that courts will not add parties to a contract after the contract has been negotiated, writes Stephen M. Proctor, a principal in Masuda Funai Eifert & Mitchell Ltd.

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# Planning and Protecting Your Projects Through International Contracts – Beyond the Boilerplate

## *EVENT, Oct. 29, 7:30 a.m. CDT*

BakerHostetler will present the first program in a series of in-depth presentations and discussions that explore key legal and commercial issues unique to international contracts. It will include an in-person event and a webinar.

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# West Texas Jury Awards \$43 Million in Oil and Gas Lease Breach of Contract

## **NEWS**

Jury found that a group of oil and gas investors' business partners had breached fiduciary duties by crediting themselves for financial contributions they never made.

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# Clear Contractual Terms Prevail Over Equitable Principles in Bankruptcy Cases (Again)

## **White Paper**

Especially where contract parties are sophisticated, courts give weight to the fact that each provision in the contract was likely heavily negotiated and that each word was chosen for a specific purpose.

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# The Trend Towards Liability

# Waivers in Design and Construction

## *White Paper*

General contractors and architects need to be on guard against sub-tier liability waivers often lurking in the fine print or at the end of lengthy proposals.

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# Negotiating Equipment Rental Contracts With Large Customers

## *White Paper*

Most of the risks can be limited or eliminated, but doing so requires a very clear understanding of your equipment, your customers, your surroundings and your legal exposure.

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# Health Care Arbitration Agreements: Five Ways to Improve Enforceability

## *White Paper*

Because the arbitration laws stack the deck against a facility, there is no foolproof way to draft an arbitration

agreement; what may be found enforceable by one judge may be found unenforceable by another.

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# Implementing Contract Management Software – Best Practices

## *White Paper*

CobbleStone Systems has published a white paper designed to help companies implement new contract management software, beginning with preparation and continuing through the complete process.

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# Three Provisions to Change in your Oilfield Master Service Agreements

## *White Paper*

Hidden perils in oilfield master service contracts have the potential to bring even a thriving company to its knees, making even big business with big clients a big mistake, writes Jordan J. La Raia in Gardere's Texas Energy Law blog.

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# Drafting Intellectual Property Agreements: Best Practices From a Litigator's Perspective

## *White Paper*

Whether negotiating a complex cross-license of intellectual property rights or drafting a supplier agreement, practitioners should consider certain license provisions and practice notes to ensure that a party's licensing objectives are met.

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# Practical Guidance on Drafting and Negotiating Commodities Contracts

## *White Paper*

Reed Smith has posted a discussion on drafting and negotiation commodities contracts, with a focus on Chinese counterparties with emphasis on successful enforcement in China.

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# What is a Smart Contract?

## *White Paper*

A Bloomberg BNA article by two Holland & Knight lawyers on blockchain technology and its potential application to the legal industry sets out basic concepts and terminology surrounding smart contracts.

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# How Weak Contract Management Prevents GCs from Answering CEO's Toughest Questions

## *White Paper*

A complimentary white paper from Exari discusses survey findings that highlight gaps in risk and revenue insight created by poor contract management practices.

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# The Critical Role of Contracts in Corporate Compliance Programs

## *White Paper*

Merrill DataSite is offering a complimentary evaluation tool that addresses the challenges faced in the ever-changing world of corporation compliance.

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# How to Score a Contract from the Red Zone

## **NEWS**

Charles Sartain, writing in Gray Reed & McGraw's Energy and the Law blog, uses a football metaphor to describe how a negotiating party could fail to score an enforceable contract while near the end of the negotiation process.

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# Federal District Court Articulates Criteria for Electronic Contracts

**NEWS** In a case involving "clickwrap" and "signwrap" agreements, the Eastern District of New York denied a motion to dismiss and compel arbitration filed by an in-flight wifi provider, according to Buckley Sandler LLP in its InfoBytes blog.

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# Fixing Your Contracts: What

# Training in Contract Drafting Can and Can't Do

## *White Paper*

Any contract will likely be riddled with deficient usages that collectively turn contract prose into 'legalese' – flagrant archaisms, botched verbs, redundancy, endless sentences, and meaningless boilerplate.

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# Physician Contract Checklist

## *White Paper*

An article on Holland & Hart's Health Law Blog provides a 40-point checklist that can be used when preparing or reviewing contracts involving the work of physicians.

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# Contractor Licensing: What You Don't Know Can Hurt You

## *White Paper*

Failure to follow contractor licensing laws can have draconian consequences, writes Kraftson Caudle of Virginia on its blog.

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# Key Considerations in Understanding and Negotiating Non-Disclosure Agreements

## *White Paper*

Authors outline some key provisions and potential pitfalls that should be considered when negotiating NDAs.